

**To:** Shamet, Stefania[Shamet.Stefania@epa.gov]  
**Cc:** Menen, Christopher[menen.chris@epa.gov]  
**From:** Seligman, Andrew  
**Sent:** Mon 12/21/2015 3:01:27 PM  
**Subject:** RE: NPDES Permit Renewal & Enforcement Washington Aqueduct

## Ex. 5 - Deliberative Process

Andrew F. Seligman

Environmental Scientist & Enforcement Officer

NPDES Enforcement Branch

1650 Arch Street, 3WP42

Philadelphia, Pennsylvania

19103

(215)814-2097

"The Wind and Waves are always on the side of the ablest Navigators"

Edward Gibbon, English Historian 1734-1794

"There is no education like adversity"

Benjamin Disraeli, British Prime Minister

**From:** Shamet, Stefania  
**Sent:** Monday, December 21, 2015 9:59 AM  
**To:** Seligman, Andrew <Seligman.Andrew@epa.gov>  
**Cc:** Menen, Christopher <menen.chris@epa.gov>  
**Subject:** Re: NPDES Permit Renewal & Enforcement Washington Aqueduct

# Ex. 5 - Deliberative Process

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**From:** Seligman, Andrew  
**Sent:** Monday, December 21, 2015 9:30 AM  
**To:** Shamet, Stefania; Gray, Wendy; Trulear, Brian  
**Cc:** Bendik, Kaitlyn; Ottinger, Elizabeth; Menen, Christopher; Moncavage, Carissa  
**Subject:** RE: NPDES Permit Renewal & Enforcement Washington Aqueduct

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**From:** Shamet, Stefania  
**Sent:** Monday, December 21, 2015 4:23 AM  
**To:** Seligman, Andrew <[Seligman.Andrew@epa.gov](mailto:Seligman.Andrew@epa.gov)>; Gray, Wendy <[Gray.Wendy@epa.gov](mailto:Gray.Wendy@epa.gov)>; Trulear, Brian <[Trulear.Brian@epa.gov](mailto:Trulear.Brian@epa.gov)>  
**Cc:** Bendik, Kaitlyn <[bendik.kaitlyn@epa.gov](mailto:bendik.kaitlyn@epa.gov)>; Ottinger, Elizabeth <[Ottinger.Elizabeth@epa.gov](mailto:Ottinger.Elizabeth@epa.gov)>; Menen, Christopher <[menen.chris@epa.gov](mailto:menen.chris@epa.gov)>; Moncavage, Carissa <[Moncavage.Carissa@epa.gov](mailto:Moncavage.Carissa@epa.gov)>  
**Subject:** Re: NPDES Permit Renewal & Enforcement Washington Aqueduct

## Ex. 5 - Deliberative Process

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**From:** Seligman, Andrew  
**Sent:** Friday, December 18, 2015 4:19 PM  
**To:** Gray, Wendy; Trulear, Brian  
**Cc:** Bendik, Kaitlyn; Ottinger, Elizabeth; Menen, Christopher; Moncavage, Carissa; Shamet, Stefania  
**Subject:** RE: NPDES Permit Renewal & Enforcement Washington Aqueduct

## Ex. 5 - Deliberative Process

Andrew F. Seligman

Environmental Scientist & Enforcement Officer

NPDES Enforcement Branch

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-----Original Appointment-----

**From:** Gray, Wendy

**Sent:** Friday, December 18, 2015 4:01 PM

**To:** Trulear, Brian

**Cc:** Bendik, Kaitlyn; Ottinger, Elizabeth; Seligman, Andrew; Menen, Christopher; Moncavage, Carissa

**Subject:** NPDES Permit Renewal & Enforcement Washington Aqueduct

**When:** Tuesday, December 22, 2015 3:00 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** Conf Room TBD

See below request from Washington Aqueduct regarding NPDES enforcement and related permit status.

Wendy,

After Mary Letzkus retired, our NPDES renewal application has been dormant. That renewal application was timely and asked for a couple of minor adjustments. We have not pushed from

our end on reissuing the permit because the de facto administrative extension of the permit that was expiring meets our needs.

So, I don't know to whom the reissuance has been assigned.

Tom Jacobus

Washington Aqueduct

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**From:** Gray, Wendy

**Sent:** Thursday, December 17, 2015 6:04 PM

**To:** Trulear, Brian

**Cc:** Bendik, Kaitlyn; Wisniewski, Patti-Kay; rogers, rick

**Subject:** Fwd: ECHO Noncompliance

Brian,

I'm not sure if your office is best to address this or whether enforcement is.

This is a request by the Washington Aqueduct drinking water system.

Wendy Gray, P.E.

Environmental Engineer

US EPA Region III

Drinking Water Branch

1650 Arch Street (3WP21)

Philadelphia, PA 19103

Office: (215) 814-5673

Cell: (267) 216-6521

Fax: (215) 814-2302

[Gray.Wendy@EPA.gov](mailto:Gray.Wendy@EPA.gov)

Begin forwarded message:

**From:** "Choudhary, Shabir A WAD" <[Shabir.A.Choudhary@usace.army.mil](mailto:Shabir.A.Choudhary@usace.army.mil)>  
**Date:** December 17, 2015 at 11:49:40 AM EST  
**To:** "Gray, Wendy" <[Gray.Wendy@epa.gov](mailto:Gray.Wendy@epa.gov)>  
**Cc:** "Jacobus, Thomas P WAD" <[Thomas.P.Jacobus@usace.army.mil](mailto:Thomas.P.Jacobus@usace.army.mil)>, "Cole, Nathan H WAD" <[Nathan.H.Cole@usace.army.mil](mailto:Nathan.H.Cole@usace.army.mil)>, "Tesema, Mel M WAD" <[Mel.M.Tesema@usace.army.mil](mailto:Mel.M.Tesema@usace.army.mil)>, "Bratton, Richard E MAJ WAD" <[Richard.E.Bratton@usace.army.mil](mailto:Richard.E.Bratton@usace.army.mil)>, "Taylor, Reginald E WAD" <[Reginald.E.Taylor@usace.army.mil](mailto:Reginald.E.Taylor@usace.army.mil)>  
**Subject:** ECHO Noncompliance

Hi Wendy:

Happy Holidays! Hope that you are enjoying the holiday season and in good spirit.

I tried to call you but could not get in touch with you. Washington Aqueduct (WA) needs your immediate assistance with respect to compliance status in the Enforcement and Compliance History Online (ECHO).

This database is showing noncompliance for WA for FY 2014 and FY 2015 and this is related to permitted/authorized discharges requested by WA and approved by EPA Region 3 under the "bypass" clause of the NPDES Permit #0000019.

WA is requesting correction so that this error in the of this database be corrected and noncompliance be removed. We became aware of this issue when we were gathering needed information to for the Environmental Awards with the Army. To be eligible for this award, the organization should not have significant noncompliance. When the ECHO database was searched, it reported two noncompliance during the FY 2014 and FY 2015 (see 2 attachments). For this period, all of the discharges from WA have always been in compliance with the conditions stipulated by EPA Region 3 in approval of "bypass" requests.

Our eligibility is determined by what's reported in the EPA's Enforcement and Compliance History Online (ECHO). The specific eligibility criteria is below:

"Compliance History. Each installation in the U.S. or its territories shall submit the latest available Detailed Facility Report from the ECHO database (<https://www.echo.epa.gov>).

Installations with High Priority Violations (HPV) or Significant Non-Compliance (SNC) during the 2014-2015 achievement period will be ineligible to compete in any category of the SecArmy and SecDef Environmental Awards, unless the installation can prove (with supporting documentation) that its inclusion in the ECHO report is erroneous.

Prior to submitting nomination packages to OACSIM, ACOMs/Agencies shall screen nominees against the ECHO report, as well as their own internal reporting on environmental violations, at each of the installations nominated."

Therefore, WA is requesting EPA Region 3 a formal letter stating that "Washington Aqueduct does not have High Priority Violations (HPV) or Significant Non-Compliance (SNC) during the 2014-2015 period so that we can proceed with our request for Environmental Awards with the Army.

Your immediate help is requested in this regard as the deadline for this submission is 12/27/2015.

Thanking you in anticipation.

Regards,

Shabir A. Choudhary, P.E.  
Section Chief  
Washington Aqueduct  
Phone:202-764-2771 Office and 202-345-2734 Cell

<< Message: Fwd: ECHO Noncompliance >>